

resources when local governments are struggling to meet local needs – including the educational needs of Maryland's children – it would be inappropriate to impose these added litigation costs on our local public bodies.

It is important to note that under current law, there is a State Open Meetings Law Compliance Board (the "Board") whose express purpose is to receive complaints from "any person" alleging a violation of the Open Meetings Law. A person does not have to be "adversely affected" to file a complaint in this nonjudicial forum. The Board is comprised of three members appointed by the Governor for three-year terms. The Board began its activities in 1992 and is staffed by the Attorney General's Office. While the Board's opinions are advisory only, it does provide a forum for any person to highlight potential violations by a public body. Under the example noted above, the Cecil County resident could complain about the Prince George's Board of Education to the State Open Meetings Law Compliance Board, without causing expensive litigation for government or burdening the judicial system. Existing law has provided a forum for any person to air grievances about a public body regarding the Open Meetings Act.

For the above stated reasons, I have vetoed House Bill 73.

Very truly yours,  
Robert L. Ehrlich, Jr.  
Governor

### **House Bill No. 73**

AN ACT concerning

#### **Open Meetings Act – Standing to File a Petition Alleging Violation of the Act**

FOR the purpose of authorizing any person to file with a circuit court that has venue a certain petition if a public body fails to comply with certain provisions of the Open Meetings Act; and generally relating to an alleged violation of the Open Meetings Act.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10-510(b)(1)  
Annotated Code of Maryland  
(1999 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

#### **Article – State Government**

10-510.

(b) (1) If a public body fails to comply with § 10-505, § 10-506, § 10-507, § 10-508, or § 10-509(c) of this subtitle [and a person is affected adversely, the] ANY person may file with a circuit court that has venue a petition that asks the court to: